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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,084	01/10/2001	Jan Lindskog	4015-2	7112

7590 06/18/2004

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Arlington, VA 22201

EXAMINER

CRAVER, CHARLES R

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,084

Applicant(s)

LINDSKOG ET AL.

Examiner

Charles R Craver

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 49-56 is/are allowed.
- 6) ☒ Claim(s) 1-28, 31-37 and 40-48 is/are rejected.
- 7) ☒ Claim(s) 29, 30, 38 and 39 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbons et al, US Pat 6,085,114 in view of Mahany et al, US Pat 5,682,379.

Claim 1: Gibbons discloses a remote terminal in a wireless local area network which may transmit status information to a repository of the network indicating a sleep mode based on if it is operating on line or battery power (col 2 line 35-col 3 line 30).

While Gibbons fails to disclose that the remote unit is a mobile unit, Mahany discloses the utility of communicating power availability information from a mobile station to a LAN master (col 3 line 54-col 4 line 9, col 10 lines 23-35), said power information being based on whether or not the battery is being charged, i.e. line power (col 14 line 57-col 15 line 28). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Gibbons in a mobile unit in order to use Gibbons with modern, more portable devices (Mahany, col 1 lines 5-62). **Claim 46** is the inherent method performed by the device of claim 1 above and as such is rejected for the same reasoning set forth above.

Claim 2: Gibbons discloses that the information is transmitted upon a change in power status. **Claim 3:** the mobile device alerts the repository, which reads a dedicated message. **Claim 4:** since Gibbons discloses that all remote stations share a common overhead channel (col 4 lines 58-67), it would have been obvious to concatenate power data with other data to save space in the overhead channel. **Claims 5, 6, 47 and 48:** the repository of Gibbons and Mahany is the network access point, and Mahany states that it may be an ad-hoc master.

Claims 7-28, 31-37 and 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbons et al in view of Mahany et al and Raith, US Pat 6,331,971.

Claim 7: Gibbons discloses a remote terminal in a wireless local area network which may transmit status information to a repository of the network indicating if it is operating on line or battery power (col 2 line 35-col 3 line 30).

Gibbons fails to disclose that the information is used to schedule a measurement command or that the remote unit is a mobile unit.

Mahany discloses the utility of communicating power availability information from a mobile station to a LAN master (col 3 line 54-col 4 line 9, col 10 lines 23-35), said power information being based on whether or not the battery is being charged, i.e. line power (col 14 line 57-col 15 line 28).

Raith discloses the utility of using a master device to schedule a frequency measurement for a slave device based on the slave's sleep mode (col 6 lines 41-51, col 7 lines 18-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Gibbons in a mobile unit and with measurement orders; first, in order to use Gibbons with modern, more portable devices (Mahany, col 1 lines 5-62), and second, to save power by providing a more effective sleep mode (Raith, col 6 lines 9-20). **Claims 14 and 37** are the inherent methods performed by the system of claim 7, and as such is rejected for the same reasons set forth above. **Claims 21 and 28** are the mobile station and LAN of claim 7 above, respectively.

Claims 8 and 15: the command of Raith is less frequent when in a longer sleep mode. **Claims 9 and 16:** Gibbons discloses that the information is transmitted upon a change in power status. **Claims 10, 17, 24, 33 and 40:** the mobile device alerts the repository, which reads a dedicated message. **Claims 11, 18, 25, 34 and 43:** since Gibbons discloses that all remote stations share a common overhead channel (col 4 lines 58-67), it would have been obvious to concatenate power data with other data to save space in the overhead channel. **Claims 12, 13, 19, 20, 26, 27, 35, 36, 44 and 45:** the repository of Gibbons and Mahany is the network access point, and Mahany states that it may be an ad-hoc master. **Claims 22, 23, 31, 32, 41 and 42:** Gibbons discloses a low-power sleep mode based on low power.

Allowable Subject Matter

Claims 49-56 are allowed.

Claims 29, 30, 38 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 29, 30, 38, 39, 49 and 53 teach towards a means and method in a WLAN using mobile stations to store at a repository at the LAN power status information from the mobile stations indicating the ability of the mobile to make frequency measurements, and by such modifying the rate at which frequency measurement commands are broadcast to at least one of the other mobile stations in the network.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cromer et al, van Bokhorst et al, Gibbons et al and Mahany et al discuss sleep modes and AC line power in remote stations.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

Art Unit: 2682

(703) 872-9314 for both formal and informal/draft communications, labeled as such.

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, sixth floor (receptionist).

Any inquiry concerning this or earlier communications from the examiner should be directed to examiner Charles Craver at (703) 305-3965.

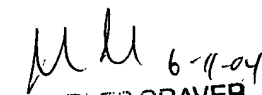
If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-4700.

CC

C.Craver

June 11, 2004


CHARLES CRAVER
PATENT EXAMINER